United Nations S/RES/2164 (2014)

Security Council

Distr.: General
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Resolution 2164 (2014)

Adopted by the Security Council at its 7210th meeting, on 25 June 2014

The Security Council,

Recalling its previous resolutions, in particular 2100 (2013) and 2085 (2012), its Presidential Statements of 23 January 2014 (S/PRST/2014/2) and 12 December 2013 (S/PRST/2013/20), and its press statements of 11 June 2014, 20 May 2014 and 23 April 2014,

Reaffirming its strong commitment to the sovereignty, unity and territorial integrity of Mali,

Reaffirming the basic principles of peacekeeping, including consent of the parties, impartiality, and non-use of force, except in self-defence and defence of the mandate, and *recognizing* that the mandate of each peacekeeping mission is specific to the need and situation of the country concerned,

Underscoring the need to address the underlying causes of recurrent crises which have affected Mali, including governance, security, development and humanitarian challenges, drawing lessons from past peace agreements, and that any sustainable solution to the crisis in Mali should be Malian-owned, including all aspects of the political process, in particular national dialogue and reconciliation,

Welcoming the successful holding of peaceful and transparent presidential elections on 28 July and 11 August 2013 as well as legislative elections on 24 November and 15 December 2013 in Mali, which constitute a major step in the restoration of democratic governance and the full return of constitutional order in Mali, and *commending* the people and authorities of Mali for the manner in which they were conducted,

Welcoming the signing on 18 June 2013 of the Ouagadougou Preliminary Agreement, which, inter alia, reaffirms the sovereignty, territorial integrity, national unity and secular nature of the Malian State, provides for an immediate ceasefire and the launching of the cantonment process, establishes a framework for inclusive peace talks with all communities of the North of Mali, but *expressing its concern* at the failure of the parties to the Agreement to meet the agreed timeline for the launching of these talks,

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Commending the efforts of all regional and international actors, including those who facilitated discussions with the signatory and adherent armed groups of the Ouagadougou Preliminary Agreement, to solve the crisis in Mali, and, in this regard, *welcoming* the efforts of Algeria to contribute to the launching of a credible and inclusive negotiation process, as well as Burkina Faso as the Economic Community of West African States (ECOWAS) mediator, and *urging* all these actors to maintain coordination to consolidate political and security progress in Mali, in close coordination with the Special Representative for Mali and the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA),

Welcoming the appointment by the Malian President on 23 April 2014 of a High-Representative for the Inter-Malian Inclusive Dialogue and his initial efforts to consult with national and international actors on the peace process,

Condemning strongly the violent clashes in Kidal on 17 and 18 May 2014 in the context of the Malian Prime Minister's visit, which resulted in the death of Malian Defence and Security Forces personnel, as well as eight civilians, including six Government officials, the unacceptable seizure by the armed groups, notably the Mouvement national de Libération de l'Azawad (MNLA), of administrative buildings, including the Governorate of Kidal, the subsequent seizure of towns in the North of Mali, and the reported illegal establishment of parallel administrative structures therein, and of arms and materiels belonging to the Malian Defence and Security Forces, which constitute a breach of the ceasefire arrangements provided for by the Agreement, as well as attacks on personnel of MINUSMA by the armed groups, *expressing serious concern* about the events that occurred in Kidal and elsewhere in the North of Mali on 21 May 2014 which resulted in additional casualties and in an altered security landscape in the North of Mali, and *reiterating* its call on all parties to act with restraint and refrain from any further violence that could threaten civilians,

Welcoming the signing of the cease-fire agreement of 23 May 2014, brokered under the auspices of the African Union (AU) Chair Mauritanian President Mohammed Ould Abdel Aziz and the Special Representative of the Secretary-General for Mali, and *welcoming* the convening of the ECOWAS Summit in Accra on 30 May 2014, taking note of its support for the cease-fire agreement and its call for a political solution, through the launching of inclusive peace talks, as well as its call for the immediate withdrawal of the armed groups from the public buildings and occupied areas, and return to the pre-17 May positions, and *further welcoming* the signing on 13 June 2014 of the agreement on the modalities for the ceasefire implementation,

Remaining concerned over the fragile security situation in the North of Mali and the continuing activities in the Sahel region of terrorist organizations, including Al-Qaida in the Islamic Maghreb (AQIM), Ansar Eddine, the Movement for Unity and Jihad in West Africa (MUJAO), and Al Mourabitoune, which constitute a threat to peace and security in the region and beyond, and *reiterating* its strong condemnation of the abuses of human rights and violence against civilians, notably women and children, committed in the North of Mali and in the region by terrorist groups,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States, and regional and international organizations to impede, impair, and isolate the terrorist

threat, and *reaffirming* that terrorism could not and should not be associated with any religion, nationality or civilization,

Recalling the listing of MUJAO, the Organization of Al-Qaida in the Islamic Maghreb, Ansar Eddine and its leader Iyad Ag Ghali, and Al Mourabitoune on the Al-Qaida sanctions list established by the Committee pursuant to resolutions 1267 (1999) and 1989 (2011), and *reiterating its readiness*, under the above-mentioned regime, to sanction further individuals, groups, undertakings and entities who do not cut off all ties to Al-Qaida and associated groups, including AQIM, MUJAO, Ansar Eddine and Al Mourabitoune, in accordance with the established listing criteria,

Welcoming the continued action by the French forces, at the request of the Malian authorities, to deter the terrorist threat in the North of Mali,

Noting with growing concern the transnational dimension of the terrorist threat in the Sahel region and *underlying* the need for a coherent regional response to combat this threat,

Expressing its continued concern over the serious threats posed by transnational organized crime in the Sahel region, and its increasing links, in some cases, with terrorism, *strongly condemning* the incidents of kidnapping and hostage-taking with the aim of raising funds or gaining political concessions, *reiterating its determination* to prevent kidnapping and hostage-taking in the Sahel region, in accordance with applicable international law, *recalling* its resolution 2133 (2014) and including its call upon all Member States to prevent terrorists from benefitting directly or indirectly from the payment of ransoms or from political concessions and to secure the safe release of hostages and, in this regard, *noting* the publication of the Global Counterterrorism Forum's (GCTF) "Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists",

Remaining seriously concerned over the significant ongoing food and humanitarian crisis in the Sahel region and over the insecurity which hinders humanitarian access, exacerbated by the presence of armed groups, terrorist and criminal networks, and their activities, the presence of landmines as well as the continued proliferation of weapons from within and outside the region that threatens the peace, security, and stability of States in this region,

Emphasizing the need for all parties to uphold and respect the humanitarian principles of humanity, neutrality, impartiality and independence in order to ensure the continued provision of humanitarian assistance, the safety of civilians receiving assistance and the security of humanitarian personnel operating in Mali and *stressing* the importance of humanitarian assistance being delivered on the basis of need,

Condemning strongly all abuses and violations of human rights and violations of international humanitarian law, including those involving extrajudicial executions, arbitrary arrests and detentions, and sexual and gender-based violence, as well as killing, maiming, recruitment and use of children, attacks against schools and hospitals, and *calling upon* all parties to bring an end to such violations and abuses and to comply with their obligations under applicable international law,

Reiterating, in this regard, that all perpetrators of such acts must be held accountable and that some of such acts referred to in the paragraph above may

amount to crimes under the Rome Statute and *taking note* that, acting upon the referral of the transitional authorities of Mali dated 13 July 2012, the Prosecutor of the International Criminal Court opened, on 16 January 2013, an investigation into alleged crimes committed on the territory of Mali since January 2012, and *recalling* the importance of assistance and cooperation, by all parties concerned, with the Court,

Emphasizing that the Malian authorities have primary responsibility for the provision of stability and security throughout the territory of Mali, *underscoring* the importance of Malian civilian control and oversight of the Malian Defence and Security Forces, *reiterating* that the training, consolidation and redeployment of the Malian Defence and Security Forces are vital to ensure Mali's long-term security and stability and to protect the people of Mali, and *stressing* the importance of the Malian Defence and Security Forces assuming full responsibility for providing security throughout the Malian territory,

Recognizing that the threat to the civilian population in the North of Mali extends beyond the key population centres to include rural areas,

Reiterating its strong support for the Special Representative of the Secretary-General for Mali and for MINUSMA and *expressing* its concern at the slow pace of deployment of MINUSMA,

Commending the role and contribution of the AU, ECOWAS and of neighbouring countries to the stabilization of Mali, including to contribute to the efforts of MINUSMA towards a political settlement,

Commending the role of the European Union Training Mission (EUTM Mali) in Mali to provide training and advice for the Malian Defence and Security Forces towards contributing to strengthening civilian authority and respect for human rights, and *welcoming* the decision of the European Union (EU) to establish the European Union Capacity Building Mission (EUCAP Sahel Mali) to provide strategic advice and training for the Police, Gendarmerie and Garde nationale in Mali,

Encouraging the international community to provide broad support to resolve the crisis in Mali through coordinated actions for immediate and long-term needs, encompassing security, governance reform, development and humanitarian issues, *commending* the contributions already made towards the 2014 Consolidated Appeal for Mali, and *urging* all Member States and other donors to contribute generously for humanitarian operations,

Determining that the situation in Mali constitutes a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

Framework for long-term peace and stability in Mali

1. *Urges* the Malian authorities and the signatory and adherent armed groups to fulfil their commitments under the Ouagadougou Preliminary Agreement, and in this regard, *further urges* the parties in Mali to engage in good faith and without delay in a credible and inclusive negotiation process, respecting the sovereignty, unity and territorial integrity of Mali, and *underscores* that this Agreement constitutes a solid basis for long-term peace and stability in Mali;

2. *Urges* the signatories to the ceasefire agreement of 23 May 2014 to respect it fully, to immediately implement its provisions, including the liberation of prisoners and the establishment of an international commission of inquiry, and to take steps that support national reconciliation, and *requests* the Secretary-General to facilitate the swift establishment of the commission, in consultation with the parties;

3. *Urges* in particular the Malian authorities to launch without delay an inclusive and credible negotiation process with the signatory and adherent armed groups of the Ouagadougou Preliminary Agreement, and those armed groups in the North of Mali that have cut off all ties with terrorist organizations and committed unconditionally to the Agreement;

4. *Reiterates* its demand that all armed groups in Mali put aside their arms, cease hostilities immediately, as well as reject the recourse to violence and *urges* all such groups that have cut off all ties with terrorist organizations and who recognize, without conditions, the unity and territorial integrity of the Malian State, to engage in an inclusive dialogue open to all communities of the North of Mali;

5. *Urges* all armed groups in Mali to resume the cantonment process, supported and monitored by MINUSMA, as a crucial and practical step leading to an effective disarmament, demobilization and reintegration (DDR) process, in the context of a comprehensive peace settlement;

6. *Expresses* its strong support for the key role of the Special Representative of the Secretary-General for Mali in the peace talks, and *requests* the Special Representative to continue his good offices and active engagement, including in coordinating with and supporting the Malian authorities, towards the launching of an inclusive process open to all communities of the North of Mali, consistent with paragraph 13 (b) (i) and (ii);

7. *Urges further* the parties in this negotiation process to coordinate with the Special Representative of the Secretary-General for Mali, with the goal of securing a durable political resolution to the crisis and long-term peace and stability throughout the country, respecting the sovereignty, unity and territorial integrity of the Malian State;

8. *Urges* the Malian authorities to further combat impunity and, in this regard, to ensure that all perpetrators of violations and abuses of human rights and violations of international humanitarian law are held accountable, and to continue to cooperate with the International Criminal Court, in accordance with Mali's obligations under the Rome Statute;

9. *Welcomes* the establishment of the Truth, Justice and Reconciliation Commission on 20 March 2014, and *calls on* the Malian authorities to take the necessary steps to ensure the neutrality, impartiality, transparency and independence of the Commission and to enable it to commence its work to benefit all Malians as soon as possible;

10. *Stresses* the importance of continued coordination among the AU, ECOWAS, the EU, the neighbouring countries of Mali and other key actors in the promotion of lasting peace, security, stability and reconciliation in Mali and *calls upon* these actors to coordinate their efforts in this regard with the Special Representative of the Secretary-General for Mali and MINUSMA;

MiNUSMA mandate

11. *Decides* to extend the mandate of MINUSMA within the authorized troop ceiling of 11,200 military personnel, including reserve battalions capable of deploying rapidly within the country, and 1,440 police personnel until 30 June 2015;

12. *Authorizes* MINUSMA to take all necessary means to carry out its mandate, within its capabilities and its areas of deployment;

13. *Decides* that the mandate of MINUSMA shall focus on the following priority tasks:

(a) *Security, Stabilization and protection of civilians*

(i) In support of the Malian authorities, to stabilize the key population centres, notably in the North of Mali, and, in this context, to deter threats and take active steps to prevent the return of armed elements to those areas;

(ii) To protect, without prejudice to the responsibility of the Malian authorities, civilians under imminent threat of physical violence;

(iii) To provide specific protection for women and children affected by armed conflict, including through the deployment of Child Protection Advisors and Women Protection Advisors, and address the needs of victims of sexual and gender-based violence in armed conflict;

(iv) To expand its presence, including through long-range patrols and within its capacities, in the North of Mali beyond key population centres, notably in areas where civilians are at risk;

(v) To support the implementation of the ceasefire and confidence-building measures on the ground, consistent with the provisions of the Ouagadougou Preliminary Agreement;

(vi) To enhance its operational coordination with the Malian Defence and Security Forces (MDSF), within its resources and areas of deployment and within the framework of the Ouagadougou Preliminary Agreement, subject to an assessment of risk and in strict compliance with the Human Rights Due Diligence Policy on United Nations Support to non-United Nations Security Forces (S/2013/110);

(b) *Support to national political dialogue and reconciliation*

(i) To coordinate with and support the Malian authorities to launch an inclusive and credible negotiation process open to all communities of the North of Mali, consistent with paragraphs 6 and 7 above;

(ii) To exercise good offices, confidence-building and facilitation at the national and local levels, in order to anticipate, prevent, mitigate and resolve conflict, including by enhancing negotiation capacity and promoting the participation of civil society, including women's organizations;

(iii) To support the cantonment of armed groups, as an essential step leading to an effective DDR process, in the context of a comprehensive peace settlement;

(iv) To assist the Malian authorities, and to coordinate international efforts, towards developing and implementing DDR programmes of former combatants

and the dismantling of militias and self-defence groups, consistent with the provisions of the Ouagadougou Preliminary Agreement and taking into account the specific needs of demobilized children;

(v) To support, within its resources and areas of deployment, the conduct of inclusive, free, fair and transparent local elections, including through the provision of appropriate logistical and technical assistance and effective security arrangements, in the context of an inclusive decentralization process led and owned by the Malian authorities;

(vi) To support, as feasible and appropriate, the efforts of the Malian authorities, without prejudice to their responsibilities, to bring to justice those responsible for serious abuses or violations of human rights or violations of international humanitarian law, in particular war crimes and crimes against humanity in Mali, taking into account the referral by the transitional authorities of Mali of the situation in their country since January 2012 to the International Criminal Court;

(vii) To provide support to the activities of the international commission of inquiry as envisaged by the Ouagadougou Preliminary Agreement and the ceasefire agreement of 23 May 2014;

(c) *Support to the re-establishment of State authority throughout the country, the rebuilding of the Malian security sector, the promotion and protection of human rights and the support for humanitarian assistance*

(i) To support the Malian authorities to extend and re-establish State administration throughout the country, especially in the North of Mali, in line with the Ouagadougou Preliminary Agreement and the ceasefire agreement of 23 May 2014;

(ii) To support national, and to coordinate international, efforts towards rebuilding the Malian security sector, especially the police and gendarmerie through technical assistance, capacity-building, co-location and mentoring programmes, as well as the rule of law and justice sectors, within its capacities and in close collaboration with other bilateral partners, donors and international organizations, including the EU, engaged in these fields, including through enhancing information sharing and joint strategic planning among all actors;

(iii) To assist the Malian authorities, through training and other support, for the removal and destruction of mines and other explosive devices and weapons and ammunition management;

(iv) To assist the Malian authorities in their efforts to promote and protect human rights;

(v) To monitor, help investigate and report to the Council and publicly, as appropriate, on any abuses or violations of human rights or violations of international humanitarian law committed throughout Mali and to contribute to efforts to prevent such violations and abuses;

(vi) To monitor, help investigate and report to the Council specifically on violations and abuses committed against children as well as violations

committed against women including all forms of sexual violence in armed conflict;

(vii) In support of the Malian authorities, to contribute to the creation of a secure environment for the safe, civilian-led delivery of humanitarian assistance, in accordance with humanitarian principles, and the voluntary, safe and dignified return or local integration or resettlement of internally displaced persons and refugees in close coordination with humanitarian actors;

(viii) In support of the Malian authorities, to contribute to the creation of a secure environment for projects aimed at stabilizing the North of Mali, including quick impact projects;

14. *Further decides* that the mandate of MINUSMA shall include the following additional tasks:

(a) *Protection of United Nations personnel*

To protect the United Nations personnel, installations and equipment and ensure the security and freedom of movement of United Nations and associated personnel;

(b) *Support for cultural preservation*

To assist the Malian authorities, as necessary and feasible, in protecting from attack the cultural and historical sites in Mali, in collaboration with UNESCO;

15. *Requests* MINUSMA to take fully into account gender considerations as a cross cutting issue throughout its mandate and to assist the Malian authorities in ensuring the full and effective participation, involvement and representation of women at all levels and at an early stage of the stabilization phase, including the security sector reform and disarmament, demobilization and reintegration processes, as well as in the national political dialogue, reconciliation and electoral processes;

16. *Requests* MINUSMA to take fully into account the need to protect civilians and mitigate risk to civilians, including, in particular, women, children and displaced persons and civilian objects in the performance of its mandate as defined in paragraphs 13 and 14 above, where undertaken jointly with the Malian Defence and Security Forces, in strict compliance with the Human Rights Due Diligence Policy on United Nations Support to non-United Nations Security Forces (S/2013/110);

17. *Requests* the Secretary-General to ensure full compliance of MINUSMA with the United Nations zero-tolerance policy on sexual exploitation and abuses and to keep the Council fully informed if such cases of misconduct occur;

18. *Requests* MINUSMA, within its capabilities, its areas of deployment and without prejudice to its mandate, to assist the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) and the Analytical Support and Sanctions Monitoring Team established by resolution 1526 (2004), including by passing information relevant to the implementation of the measures in paragraph 1 of resolution 2161 (2014);

19. *Requests* the Secretary-General to consider the environmental impacts of the operations of MINUSMA when fulfilling its mandated tasks and, in this context,

encourages MINUSMA to manage them, as appropriate and in accordance with applicable and relevant General Assembly resolutions and United Nations rules and regulations, and to operate mindfully in the vicinity of cultural and historical sites;

20. *Encourages* MINUSMA to further enhance its interaction with the civilian population to raise awareness and understanding about its mandate and activities;

Deployment of MINUSMA

21. *Requests* the Secretary-General to take the necessary steps to enable MINUSMA to reach its full operational capacity as soon as possible in the context of a new Force laydown and, in this regard, *calls upon* Member States to provide troops and police with adequate capabilities and equipment, including enablers, in order for MINUSMA to fulfil its mandate and *commends* troop- and police-contributing countries for their engagement in this respect;

22. *Urges* all parties in Mali to cooperate fully with the deployment and activities of MINUSMA, in particular by ensuring their safety, security and freedom of movement with unhindered and immediate access throughout the territory of Mali to enable MINUSMA to carry out fully its mandate and *stresses*, in this regard, the importance of facilitating MINUSMA's new Force laydown to extend its operations in the North of Mali, as mandated in paragraph 13 (a) (iv) above, in a complex security environment that includes asymmetric threats;

23. *Calls upon* Member States, especially those in the region, to ensure the free, unhindered and expeditious movement to and from Mali of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles and spare parts, which are for the exclusive and official use of MINUSMA;

24. *Requests* the Secretary-General to accelerate the disbursement of the United Nations Trust Fund established pursuant to its resolution 2085 (2012) in support of the African-led International Support Mission in Mali (AFISMA), including to enable MINUSMA's new Force laydown, in consultation with the donors;

Inter-mission cooperation in West Africa

25. *Authorizes* the Secretary-General to take the necessary steps in order to ensure inter-mission cooperation, notably between MINUSMA, UNMIL and UNOCI, appropriate transfers of troops and their assets from other United Nations missions to MINUSMA, subject to the following conditions: (i) the Council's information and approval, including on the scope and duration of the transfer, (ii) the agreement of the troop-contributing countries and (iii) the security situation where these United Nations missions are deployed and without prejudice to the performance of their mandates, and, in this regard, *encourages* further steps to enhance inter-mission cooperation in the West African region, as necessary and feasible, and to report thereon for consideration as appropriate;

French forces mandate

26. *Authorizes* French forces, within the limits of their capacities and areas of deployment, to use all necessary means until the end of MINUSMA's mandate as authorized in this resolution, to intervene in support of elements of MINUSMA

when under imminent and serious threat upon request of the Secretary-General, *requests* France to report to the Council on the implementation of this mandate in Mali and to coordinate its reporting with the reporting by the Secretary-General referred to in paragraph 33 below;

European Union contribution

27. *Calls upon* the EU, notably its Special Representative for the Sahel and its EUTM Mali and EUCAP Sahel Mali missions, to coordinate closely with MINUSMA, and other bilateral partners of Mali engaged to assist the Malian authorities in the Security Sector Reform (SSR);

Obligations under international humanitarian and human rights law

28. *Urges* all parties to comply with obligations under international humanitarian law to respect and protect humanitarian personnel, facilities and relief consignments, and take all required steps to allow and facilitate the full, safe, immediate and unimpeded access of humanitarian actors for the delivery of humanitarian assistance to all people in need, while respecting the United Nations humanitarian guiding principles and applicable international law;

29. *Reiterates* that the Malian authorities have primary responsibility to protect civilians in Mali, *further recalls* its resolutions 1265 (1999), 1296 (2000), 1674 (2006), 1738 (2006) and 1894 (2009) on the protection of civilians in armed conflict, its resolutions 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012) and 2143 (2014) on Children And Armed Conflict and its resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013) and 2122 (2013) on Women, Peace and Security and *calls upon* MINUSMA and all military forces in Mali to take them into account and to abide by international humanitarian, human rights and refugee law, and recalls the importance of training in this regard;

International cooperation on the Sahel

30. *Urges* all Member States, notably Sahel and Maghreb States, to coordinate their efforts to prevent the serious threat posed to international and regional security by terrorist groups crossing borders and seeking safe havens in the Sahel region, to enhance cooperation and coordination in order to develop inclusive and effective strategies to combat in a comprehensive and integrated manner the activities of terrorist groups, notably AQIM, MUJAO, Ansar Eddine and Al Mourabitoune, and to prevent the expansion of those groups as well as to limit the proliferation of all arms and transnational organized crime;

31. *Reiterates* its request to the Secretary-General to ensure early progress towards the effective implementation of the United Nations Integrated Strategy for the Sahel, encompassing political, security, development and humanitarian aspects and *welcomes* in this regard the establishment of a Ministerial Coordination Platform that would meet biannually and under the chairmanship of Mali for 2013-2015, and *takes note* of the conclusions from its first and second meetings held in Bamako on 5 November 2013 and 16 May 2014;

Small arms and light weapons

32. *Calls upon* the Malian authorities, with the assistance of MINUSMA, consistent with paragraph 13 above, and international partners, to address the issue of the proliferation and illicit trafficking of small arms and light weapons in accordance with the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials and the United Nations Programme of Action on Small Arms and Light Weapons, in order to ensure the safe and effective management, storage and security of their stockpiles of small arms and light weapons and the collection and/or destruction of surplus, seized, unmarked or illicitly held weapons and *further stresses* the importance of the full implementation of its resolutions 2017 (2011) and 2117 (2013);

Reports by the Secretary-General

33. *Requests* the Secretary-General to report to the Security Council within three months of the adoption of this resolution, focusing on the implementation of the Ouagadougou Preliminary Agreement, the expansion of the Force's presence in the North of Mali, and benchmarks to assess progress on the implementation of the priority tasks of MINUSMA's mandate, as defined by paragraph 13 above, and then, every three months, to report on the implementation of this resolution, in particular on the progress achieved on the benchmarks;

34. *Decides* to remain actively seized of the matter.

United Nations S/RES/2165 (2014)

Security Council

Distr.: General
14 July 2014

Resolution 2165 (2014)

Adopted by the Security Council at its 7216th meeting, on 14 July 2014

The Security Council,

Recalling its resolutions 2042 (2012), 2043 (2012), 2118 (2013) and 2139 (2014), and its Presidential Statements of 3 August 2011, 21 March 2012, 5 April 2012 and 2 October 2013,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of Syria, and to the purposes and principles of the Charter of the United Nations,

Being appalled at the unacceptable and escalating level of violence and the death of more than 150,000 people, including well over 10,000 children, as a result of the Syrian conflict as reported by the Special Representative of the Secretary-General for Children and Armed Conflict,

Expressing grave alarm at the significant and rapid deterioration of the humanitarian situation in Syria, at the fact that the number of people in need of assistance has grown to over 10 million, including 6.4 million internally displaced persons and over 4.5 million living in hard-to-reach areas, and that over 240,000 are trapped in besieged areas, as reported by the United Nations Secretary-General,

Deploring the fact that the demands in its resolution 2139 (2014) and the provisions of its Presidential Statement of 2 October 2013 (S/PRST/2013/15) have not been heeded by the Syrian parties to the conflict as stated in the United Nations Secretary-General's reports of 22 May 2014 (S/2014/365) and 20 June 2014 (S/2014/427), and *recognizing* that, while some steps have been undertaken by the Syrian parties, they have not had the necessary impact on the delivery of humanitarian assistance to all people in need throughout Syria,

Commending the indispensable and ongoing efforts of the United Nations, its specialized agencies and all humanitarian and medical personnel in Syria and in neighbouring countries to alleviate the impact of the conflict on the Syrian people,

Reiterating its appreciation for the significant and admirable efforts that have been made by the countries of the region, notably Lebanon, Jordan, Turkey, Iraq and Egypt, to accommodate the more than 2.8 million refugees who have fled Syria as a result of ongoing violence including the approximately 300,000 refugees who have

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fled since the adoption of resolution 2139 (2014), and *urging again* all Member States, based on burden-sharing principles, to support these neighbouring host countries to enable them to respond to the growing humanitarian needs, including by providing direct support,

Strongly condemning the continuing widespread violations of human rights and international humanitarian law by the Syrian authorities, as well as the human rights abuses and violations of international humanitarian law by armed groups,

Stressing the need to end impunity for violations of international humanitarian law and violations and abuses of human rights, and *reaffirming* that those who have committed or are otherwise responsible for such violations and abuses in Syria must be brought to justice,

Expressing grave alarm in particular at the continuing indiscriminate attacks in populated areas, including an intensified campaign of aerial bombings and the use of barrel bombs in Aleppo and other areas, artillery, shelling and air strikes, and the widespread use of torture, ill-treatment, sexual and gender-based violence as well as all grave violations and abuses committed against children, and *reiterating* that some of these violations may amount to war crimes and crimes against humanity,

Reiterating its demand that all parties demilitarize medical facilities, schools and other civilian facilities and avoid establishing military positions in populated areas and desist from attacks directed against civilian objects,

Reaffirming the primary responsibility of the Syrian authorities to protect the population in Syria and *reiterating* that parties to armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of civilians, and *recalling* in this regard its demand that all parties to armed conflict comply fully with the obligations applicable to them under international law related to the protection of civilians in armed conflict, including journalists, media professionals and associated personnel,

Recalling the need for all parties to respect the relevant provisions of international humanitarian law and the United Nations guiding principles of humanitarian emergency assistance,

Expressing grave alarm at the spread of extremism and extremist groups, the targeting of civilians based on their ethnicity, religion and/or confessional affiliations, *expressing further grave alarm* at the increased attacks resulting in numerous casualties and destruction, indiscriminate shelling by mortars, car bombs, suicide attacks, tunnel bombs as well as hostage taking, kidnappings, and attacks against civilian infrastructure including deliberate interruptions of water supply, *condemning* terrorism in all its forms and manifestations and *recalling* in this regard its resolutions 1373 (2001), 1624 (2005), 2129 (2013) and 2133 (2014),

Deeply disturbed by the continued, arbitrary and unjustified withholding of consent to relief operations and the persistence of conditions that impede the delivery of humanitarian supplies to destinations within Syria, in particular to besieged and hard-to-reach areas, and *noting* the United Nations Secretary-General's view that arbitrarily withholding consent for the opening of all relevant border crossings is a violation of international humanitarian law and an act of non-compliance with resolution 2139 (2014),

Emphasizing that the humanitarian situation will continue to deteriorate further in the absence of a political solution to the crisis, *reiterating* its endorsement of the Geneva Communiqué of 30 June 2012 (Annex II of resolution 2118 (2013)) and *demanding* that all parties work towards the immediate and comprehensive implementation of the Geneva Communiqué aimed at bringing an immediate end to all violence, violations and abuses of human rights and violations of international law, and facilitating the Syrian-led process launched in Montreux on 22 January 2014, leading to a transition that meets the legitimate aspirations of the Syrian people and enables them independently and democratically to determine their own future,

Recalling its intent, expressed in its resolution 2139 (2014), to take further steps in the case of non-compliance with the resolution,

Determining that the deteriorating humanitarian situation in Syria constitutes a threat to peace and security in the region,

Underscoring that Member States are obligated under Article 25 of the Charter of the United Nations to accept and carry out the Council's decisions,

1. *Reiterates* that all parties to the conflict, in particular the Syrian authorities, must comply with their obligations under international humanitarian law and international human rights law and must fully and immediately implement the provisions of its resolution 2139 (2014) and its Presidential Statement of 2 October 2013 (S/PRST/2013/15);

2. *Decides* that the United Nations humanitarian agencies and their implementing partners are authorized to use routes across conflict lines and the border crossings of Bab al-Salam, Bab al-Hawa, Al Yarubiyah and Al-Ramtha, in addition to those already in use, in order to ensure that humanitarian assistance, including medical and surgical supplies, reaches people in need throughout Syria through the most direct routes, with notification to the Syrian authorities, and to this end *stresses* the need for all border crossings to be used efficiently for United Nations humanitarian operations;

3. *Decides* to establish a monitoring mechanism, under the authority of the United Nations Secretary-General, to monitor, with the consent of the relevant neighbouring countries of Syria, the loading of all humanitarian relief consignments of the United Nations humanitarian agencies and their implementing partners at the relevant United Nations facilities, and any subsequent opening of the consignments by the customs authorities of the relevant neighbouring countries, for passage into Syria across the border crossings of Bab al-Salam, Bab al-Hawa, Al Yarubiyah and Al-Ramtha, and with notification by the United Nations to the Syrian authorities, in order to confirm the humanitarian nature of these relief consignments;

4. *Decides* that the United Nations monitoring mechanism shall be deployed expeditiously;

5. *Further decides* that the decisions contained in operative paragraphs two and three of this resolution shall expire 180 days from the adoption of this resolution, and shall be subject to review by the Security Council;

6. *Also decides* that all Syrian parties to the conflict shall enable the immediate and unhindered delivery of humanitarian assistance directly to people throughout Syria, by the United Nations humanitarian agencies and their

implementing partners, on the basis of United Nations assessments of need and devoid of any political prejudices and aims, including by immediately removing all impediments to the provision of humanitarian assistance;

7. *Notes* in this regard the role that ceasefire agreements that are consistent with humanitarian principles and international humanitarian law could play to facilitate the delivery of humanitarian assistance in order to help save civilian lives, and *further underscores* the need for the parties to agree on humanitarian pauses, days of tranquillity, localized ceasefires and truces to allow humanitarian agencies safe and unhindered access to all affected areas in Syria in accordance with international humanitarian law, and *recalls* that starvation of civilians as a method of combat is prohibited by international humanitarian law;

8. *Decides* that all Syrian parties to the conflict shall take all appropriate steps to ensure the safety and security of United Nations and associated personnel, those of its specialized agencies, and all other personnel engaged in humanitarian relief activities as required by international humanitarian law, without prejudice to their freedom of movement and access, *stresses* the need not to impede or hinder these efforts, and *recalls* that attacks on humanitarian workers may amount to war crimes;

9. *Reiterates* that the only sustainable solution to the current crisis in Syria is through an inclusive and Syrian-led political process with a view to full implementation of the Geneva Communiqué of 30 June 2012 endorsed as Annex II of its resolution 2118 (2013), *pays tribute* to the efforts of Mr. Lakhdar Brahimi, and *welcomes* the appointment of the Special Envoy of the United Nations Secretary-General for Syria Mr. Staffan de Mistura;

10. *Requests* the Secretary-General to report to the Council on the implementation of this resolution, and on compliance with it by all Syrian parties to the conflict, within the framework of its reporting on resolution 2139 (2014);

11. *Affirms* that it will take further measures in the event of non-compliance with this resolution or resolution 2139 (2014) by any Syrian party;

12. *Decides* to remain actively seized of the matter.